

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUITAUG 25 2008  
MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

JOHN BOUTTE,

Plaintiff - Appellant,

v.

BYRON J. BAHR, Judge; et al.,

Defendants - Appellees.

No. 08-15639

D.C. No. 07-CV-05276-PJH  
Northern District of California,  
San Francisco

## ORDER

On July 15, 2008, this court ordered appellant, within 21 days, to pay the filing fees and show cause why the judgment in this appeal should not be summarily affirmed. The order warned appellant that failure to pay the fees and to show cause would result in the automatic dismissal of the appeal by the Clerk of the Court. To date, appellant has not complied with the court's order. Accordingly, this appeal is dismissed for failure to prosecute. *See* 9th Cir. R. 42-1.

This order served on the district court shall act as and for the mandate of this court.

## FOR THE COURT:

Molly Dwyer  
Clerk of Court

By: Caroline A. Jacobs  
Motions Attorney/Deputy Clerk  
9th Cir. R. 27-7  
General Orders/Appendix A